

REMARKS

The Applicant would like to thank the Examiner for his attention to this Application.

The Examiner has objected to claims 1, 3-9, 12, 13 and 15-19 as being unpatentable over International Application No. WO 94/286872 Yarwood in view of Japanese Patent Number JP 2001-3094272 to Jae.

Yarwood teaches a method and system for facilitating group calls in cellular radio systems. In particular, as described on page 2 starting at line 1 to page 3, line 3, the service being contemplated is a dispatcher being able to call all units or for a mobile unit to be able to call all other units.

The Examiner has indicated that page 2, line 1 to page 3, line 3 and page 4, line 35 to page 5, line 11 disclose a method for enhancing the probability of successful emergency call completion. The Applicant respectfully disagrees.

Page 2, starting at line 1 teaches that there is a need to be able to broadcast from a dispatcher or from one mobile unit to all others. The page further teaches that devices need to access these facilities for only a small proportion of their operational requirements and it is thus wasteful to devote equipment and spectrum in the radio band. The reference gives the particular example of emergency services such as fire, police, ambulance, coast guard, mountain rescue etc.

Based on the above, page 2, lines 1 to 16 teach a method for transmitting to multiple mobile devices simultaneously, for example when used by emergency personnel. The Applicant submits that this is distinct from an emergency call where a user, for example an individual

who may have been in a car accident or a house fire, calls 911 or other similar emergency number. The system being described on page 2, lines 1 to 16 of the Yarwood reference is a replacement for a radio based dispatch system that has dedicated frequencies associated therewith which may be wasteful of these radio frequencies since the system is under-utilized.

Page 2, starting at line 17, indicates that many of the services requirements may be met by existing cellular systems. The advantage described in this paragraph to using cellular systems over dedicated systems is that the private networks have to have a high capacity to allow the system to cope with extreme situations and this capacity is rarely required and the system is generally under-utilized.

Page 2, starting at line 30 indicates that some cellular systems offer multi-party calling but that this may not be sufficient for emergency services since calls need to be set up individually and separate radio resources are required for each party in the multi-party call.

The Examiner also points to page 4, line 35 to page 5, line 11. Page 4, line 35 indicates that in a preferred embodiment there is a facility for the broadcast to be initiated from one of the mobile units. Thus the paragraph describes one mobile unit communicating with all of the other mobile units.

The Applicant respectfully submits that the above is not a method of enhancing probability of a successful emergency call completion on a mobile station in a network. Specifically, the above is a method to adapt a mobile network to support the needs of broadcast services and in one example the broadcast services of emergency services providers such as fire, police or ambulance. The Applicant submits that there is a distinct difference between the two problems and solutions.

The Examiner has further cited Jae as making the present application obvious when combined with the Yarwood reference. Jae is entitled a System for Automatically Switching Operation Mode of Mobile Communication Unit. The Examiner has pointed to paragraphs 24 and 25 as showing the method of during an emergency call attempt, monitoring whether the mobile station has received a non-voice service request from the network and, if yes, ignoring said non-voice service request, said step of ignoring said non-service request includes blocking an acknowledgement message from the mobile station to the network.

In paragraph 24 of the machine translation, although a little vague, the Jae reference provides for a mobile device 200 which receives at signal detecting element 201 an "image and data transfer prohibition mode signal". Controller 201 changes the device to an image and data transfer prohibition mode. In this mode, any data inputted through various inputs such as 221, 223 or 224 are blocked by what is described as "3rd multi pre KISA 220 and 4th multi pre KISA 222". The Applicant has interpreted these blocks as logical components that block inputs to transmitting section 216.

Paragraph 25 says that even if the user chooses to go to an image and data transfer mode, elements 220 and 222 block the signals while allowing voice inputted from microphone 209 to still be transmitted since this is channeled through element 206.

The above, therefore, describes the selective blocking of video and data inputs from the mobile device from being transmitted over a network. In particular, the mobile device receives a signal to indicate which mode it should be in at which point blocking elements block data.

The Applicant submits that this is different from the step of monitoring whether the mobile station has received a non-voice service request from the network, and if yes ignoring the non-service request by blocking an acknowledgement message.

In particular, the data and images generated are from “input edge 221”, “input edged 224”, and “camera 223”. Thus these are all local sources and nothing within these paragraphs in the Jae reference teaches the blocking of an acknowledgement message. Rather, the entire signal is blocked.

The present application is dealing with the handling of a signal that is coming into the mobile device from the network. Conversely, Jae teaches the handling of data created at the mobile device. This is a distinction between the present application and the Jae reference. Further, there is no mention of any non-voice service request during an emergency call attempt in Jae nor of blocking acknowledgement messages from the mobile station to the network.

The combination of the above two, for the reasons submitted above, would not produce the method of claim 1. Based on this, the Applicant respectfully submits that claim 1 is distinct and patentable over these references, and reconsideration is respectfully urged.

With regard to the Examiner's objection to claim 4, the Applicant respectfully submits that page 8, lines 1 to 10 do not teach the reacquiring of a network. Specifically, page 8, lines 1 to 10 teach the automatic dropping of point to point call if a broadcast call is started so that the mobile can tune to the broadcast channel. The Applicant submits that this is different from reacquiring a network for the emergency call attempt.

Regarding the objection to claim 5, the Applicant submits that nothing within the periodic attempt to reacquire a network that communication has ended with. Page 8, line 8 to page

9, line 7 teach that a mobile device when it moves between cells determines which cell is going to provide the best level of service based on measurements either of the broadcast channel or of the control channel taken within the mobile device. The disclosure teaches that if a mobile roams outside the broadcast area altogether then it will drop out of the broadcast call. The Applicant submits that this is not a description of periodically attempting to reacquire the network that communication was ended with.

The Examiner has further objected to independent claim 9 as being obvious in view of Yarwood and Jae. For the reasons submitted above, the Applicant submits that neither Yarwood nor Jae, taken alone or in combination, teach the method of claim 9. Further, nothing within Jae teaches the ignoring of the non-voice service request that is anything but a position location service request. Position location service requests are not explicitly or implicitly taught by Jae. The only positional information that is indicated in paragraphs 24 and 25 of Jae is the location of a signal from a network indicating that the mobile device should not transmit image or data information. This is based on the particular transmitter that is communicating with the mobile device as opposed to any specific position location service at the mobile device.

Regarding claim 12, the Applicant submits that, for the reasons above, Yarwood does not teach a method of enhancing the probability of a successful emergency callback. Rather, Yarwood teaches a method and system for adapting an existing cellular system to become a broadcast system.

The Examiner has indicated that Jae discloses a method comprising the steps of during the callback period monitoring whether user attempts to initiate a non-voice service request that is anything but a position location service request. The Applicant respectfully submits that Jae does not teach a callback period at all. In Jae, the mode of the device is determined based on a signal received at the mobile device. The mode is not entered into because of an

action of the mobile device such as in the present invention where the emergency callback mode is entered because a mobile device user placed an emergency call

Responsive to the Examiner's objection to claim 15, the Applicant submits that for the same reasons as described above, Yarwood does not disclose a mobile station for enhancing the probability of successful emergency call completion. Rather, Yarwood teaches a mobile station that can be adapted to work over existing cellular networks for a broadcast service.

Further, nothing teaches successful callback from an emergency service centre. In Yarwood, a dispatcher or other mobile station can communicate using broadcast services. The Applicant submits that this is significantly different than a callback from an emergency service centre. Callbacks from emergency service centers, are described in the present application on page 2 as:

After the emergency call ends the mobile station may stay on the last serving system for a certain duration, which is known as the callback period ... The purpose of the callback mode is to ensure that the mobile station stays on the last system so that the emergency service center can call back the user.

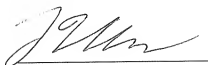
The Applicant submits that this is different from the Yarwood reference which teaches a broadcast system in which all of the devices are always monitoring the broadcast channel since they always need to be in communication with each other [page 8, line 5-10].

As further indicated above, Jae does not disclose ignoring non-voice requests from the network but rather blocks image in data generated at the mobile device from being transmitted.

The remaining claims not explicitly mentioned above depend from independent claims discussed above, and for the reasons submitted, the Applicant submits that these claims are also distinct from the Yarwood and Jae references.

Based on the foregoing submissions, the Applicant submits that the combination of Yarwood and Jae would not disclose the subject matter of independent claims 1, 9, 12, or 15 and that these claims are distinct from the cited references. Reconsideration is respectfully urged.

Respectfully submitted,



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